

**United States Court of Appeals**

***For The Eighth Circuit***

Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329

**St. Louis, Missouri 63102**

**Michael E. Gans**  
*Clerk of Court*

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[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

December 19, 2011

Mr. Edward T. Dangel III  
DANGEL & MATTCHEN  
10 Derne Street  
Boston, MA 02114

RE: 11-3768 King Cole Foods, Inc., et al v. SuperValu, Inc., et al

Dear Mr. Dangel:

The district court clerk has transmitted a notice of appeal in this matter, and we have docketed it under the caption and case number shown above. Please include the caption and the case number on all correspondence or pleadings submitted to this court.

Please note, this case has been consolidated with **11-3773 Blue Goose Super Market, Inc., et al. v. Supervalue, Inc., et al.**, to the extent possible, for briefing and submission to the court.

Counsel in the case must supply the clerk with an Appearance Form. Counsel may download or fill out an [Appearance Form](#) on the "Forms" page on our web site at [www.ca8.uscourts.gov](http://www.ca8.uscourts.gov).

The court has established a consolidated briefing schedule for these cases, a copy of which will be forwarded under separate notice of docket activity. Please refer to the schedule and note the key filing dates. You should also review Federal Rules of Appellate Procedure 28 and 32, as well as Eighth Circuit Rules 28A and 32A. Sample briefs are available on our website, the address of which is shown above.

Within 14 days of today's date, counsel for appellant must: (1) file a verification that any transcripts needed for the appeal have been ordered and that satisfactory arrangements have been made for payment, and (2) file a notice of the method of appendix preparation selected for the case. Eighth Circuit Rule 30A contains detailed information on appendix preparation.

The court has directed the clerk's office to monitor and enforce compliance with the briefing schedule. Failure to file your brief will result in issuance of a show cause order and may lead to dismissal of the appeal. Requests for extensions of time must be timely and should establish good cause. Overlength briefs are strongly discouraged.

Please note the provisions of Eighth Circuit Rule 32A governing briefs and reply briefs responding to multiple briefs.

On June 1, 2007, the Eighth Circuit implemented the appellate version of CM/ECF. Electronic filing is now mandatory for attorneys and voluntary for pro se litigants proceeding without an attorney. Information about electronic filing can be found at the court's web site [www.ca8.uscourts.gov](http://www.ca8.uscourts.gov). In order to become an authorized Eighth Circuit filer, you must register with the PACER Service Center at <https://www.pacer.gov/pSCO/cgi-bin/cmeCF/ea-regform.pl>. Questions about CM/ECF may be addressed to the Clerk's office.

If you have any questions about the schedule or procedures for these cases, please contact our office.

Michael E. Gans  
Clerk of Court

CYZ

Enclosure(s)

cc: Mr. W. Joseph Bruckner  
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Mr. Daniel A. Kotchen  
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Mr. Stephen Paul Safranski  
Mr. Richard Sletten  
Mr. Karl Craig Wildfang  
Mr. Timothy James Willette  
Mr. Todd Wind

District Court/Agency Case Number(s): 0:09-md-02090-ADM

**Caption For Case Number: 11-3768**

**In re: Wholesale Grocery Products Antitrust Litigation**

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**King Cole Foods, Inc.;  
JFM Market, Inc.;  
MJF Market, Inc.**

**Plaintiffs - Appellants**

**v.**

**SuperValu, Inc.;  
C&S Wholesale Grocers, Inc.**

**Defendants - Appellees**

**Addresses For Case Participants: 11-3768**

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